

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MURIKA K. MATZ, an individual,

Plaintiff,

vs.

VISIER, INC., a foreign corporation,

Defendant.

CASE NO. 2:23-cv-01815-JHC

**STIPULATED MOTION AND ORDER TO
CONTINUE TRIAL DATE AND
RELATED CASE SCHEDULE DATES**

NOTED ON MOTION CALENDAR:
Friday, July 26, 2024

INTRODUCTION

Plaintiff, Murika K. Matz (“Plaintiff”), and Defendant, Visier, Inc. (“Defendant”), hereby jointly move to continue the trial date and related case schedule dates by six months so that they may continue efforts to resolve this matter, while leaving sufficient time to conduct discovery, if necessary, should the parties not reach a resolution. This is the first time the parties have requested a continuance of the trial date.

RELEVANT FACTS

On May 2, 2024, the parties filed the Joint Status Report and Discovery Plan. Dkt. # 16. At that time, the parties anticipated this matter would be ready for trial by March 15, 2024. *Id.* at 6. The parties also anticipated they could complete discovery by December 15, 2024. *Id.* at 5.

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1 On May 14, 2024, the Court issued an Order Setting Trial Date and Related Dates. Dkt. #
2 17. The Court set trial for March 17, 2025, and set related case schedule deadlines, including a
3 discovery cutoff date of October 18, 2024.

4 Since then, the parties have been engaged in settlement discussions and intend to continue
5 those discussions. To focus efforts on potential resolution, the parties have held off on serving
6 discovery request or setting depositions. Thus, the parties have not yet engaged in discovery or
7 taken any depositions.

8 There are case schedule deadlines rapidly approaching, and the parties request to continue
9 those deadlines so that they may continue their settlement discussions. The deadline for disclosure
10 of expert testimony is August 19, 2024; the deadline for filing motions related to discovery is
11 September 18, 2024; and the discovery cutoff date is October 18, 2024.

12 DISCUSSION

13 The Court may modify scheduling orders for good cause. Fed. R. Civ. P. 16(b)(4). “A trial
14 judge has broad discretion in deciding a motion to continue trial.” *United States v. Wilke*, 2020
15 U.S. Dist. LEXIS 3596, 2020 WL 92005, at *2 (W.D. Wash. Jan. 8, 2020) (citing *Morris v. Slappy*,
16 461 U.S. 1, 11, 103 S. Ct. 1610, 75 L. Ed. 2d 610 (1983)).

17 Here, an extension of the pretrial deadlines will allow the Parties to focus time and
18 resources on a pursuing resolution, without suffering any prejudice to their ability to conduct and
19 complete discovery within the case schedule deadlines. The parties request a six month
20 continuance of the trial date to September 2025, and of related case schedule deadlines. The parties
21 request the discovery cutoff date be in April 2025 or thereafter. The parties anticipate this will be
22 sufficient for the parties to determine whether they can resolve this matter, while leaving sufficient
23 time for the parties to conduct discovery if necessary. Good cause exists for the Court to grant the
24 requested continuance, because it will allow the parties to try to resolve this matter before investing
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1 time, energy, and money in discovery. It will thus serve the efficient administration of justice,
2 without causing any unreasonably delay.

3 **CONCLUSION**

4 For the reasons stated above, the Parties respectfully request that the Court grant this Joint
5 Motion and issue an order continuing the trial date until September 15, 2025, or a subsequent date
6 that is more convenient for the Court; and continuing related case schedule deadlines based on the
7 new trial date, including a discovery cutoff date in April 2025 or later.

8 IT IS SO STIPULATED.

9 DATED this 26th day of July, 2024 O'HAGAN MEYER PLLC

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18 DATED this 26th day of July, 2024 THE LAW OFFICE OF GUS BENJAMIN LINDSEY
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Attorneys for Plaintiff Murika K. Matz.

ORDER

PURSUANT TO THE FOREGOING STIPULATION, and the Court finding good cause for a continuance pursuant to Fed. R. Civ. P. 16(b)(4), the trial date will be continued to September 15, 2025. The Court DIRECTS the Clerk to issue a new case scheduling order for deadlines that have not passed under the previous schedule.

DATED: July 26, 2024.



John H. Chun
United States District Judge